

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

DANA SPIRES, GLENN GRANT, SUSAN  
MOHLE, and TOM MIRANDA on Behalf of  
Themselves and All Others Similarly Situated,

Plaintiffs,

vs.

CASE NO: 2:16-cv-00616-RMG

DAVID R. SCHOOLS, WILLIAM A.  
EDENFIELD, JR., ROBERT G. MASCHE,  
JOSEPH T. NEWTON III, BURTON R.  
SCHOOLS, PIGGLY WIGGLY CAROLINA  
COMPANY, INC. & GREENBAX  
ENTERPRISES, INC. EMPLOYEE STOCK  
OWNERSHIP PLAN AND TRUST PLAN  
COMMITTEE, JOANNE NEWTON AYERS,  
MARION NEWTON SCHOOLS, and JOHN  
DOES 1-10,

Defendants.

**PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT,  
CONDITIONAL CERTIFICATION OF SETTLEMENT CLASS, APPROVAL OF  
NOTICES OF SETTLEMENT, PRELIMINARY APPROVAL OF  
THE PLAN OF ALLOCATION, AND SETTING OF FAIRNESS HEARING**

Plaintiffs Dana Spires, Glenn Grant, Susan Mohle and Tom Miranda (the “Plaintiffs” or “Named Plaintiffs”) respectfully move for an Order: (a) granting preliminary approval of the Settlement;<sup>1</sup> (b) conditionally certifying the proposed Settlement Class pursuant to Fed. R. Civ. P. 23(b)(1); (c) approving the forms for the mailing and publication of notice of Settlement; (d) granting preliminary approval of the proposed Plan of Allocation; and (e) setting a date and time for the Fairness Hearing with respect to the Settlement and related deadlines as set forth in the proposed Preliminary Approval Order attached as Exhibit 1 to the Class Action Settlement

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<sup>1</sup> All capitalized terms used in this Motion have the meanings ascribed to them in Plaintiffs’ Memorandum in Support of this Motion or the Settlement Agreement (defined below) filed in connection with this Motion.

Agreement (the “Settlement Agreement”), dated May 22, 2018, being filed herewith. This motion is made unopposed and is supported by Plaintiffs’ Memorandum in Support of this Motion.

WHEREFORE, Plaintiffs request that this Court grant their Motion for Preliminary Approval of Settlement, Conditional Certification of Settlement Class, Approval of Notices of Settlement, Preliminary Approval of the Plan of Allocation, and Setting of Fairness Hearing and for such other relief as this Court deems just and proper.

Respectfully submitted,

WYCHE, P.A.

s/ John C. Moylan, III

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May 22, 2018